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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,129	03/11/2005	Alexander Mouzas	muzas374-US	8942

7590

10/31/2006

Charles F. Seyboldt
19 Ridgeview Drive
Standish, ME 04084

EXAMINER

NGUYEN, PHUNG

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/528,129

Applicant(s)

MOUZAS, ALEXANDER

Examiner

Phung T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-13 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 2, 12, and 13 are objected to because of the following informalities:

Claim 2, line 4, after "switch" insert --;--

Claims 12 and 13 are objected for incorporating the above deficiency by dependency.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7, and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mouzas (US 5,428,512) in view of McDermott (US 6,030,099).

Regarding claim 1: Mouzas discloses sidelighting arrangement and method comprising a controller having inputs for the state of the first and second gravity-responsive switches and providing an output signal depending on the order and number of changes of state of the first and second gravity-responsive switches; means to communicate the controller output signal; and means for powering the vehicle auxiliary function in response to the controller output signal (col. 2, lines 12-19, and col. 4, lines 10-19). Mouzas discloses the steering sensor is mounted on the steering column for the purpose of automatically sensing when a turn is being initiated (col. 5, lines 58-67, and col. 6, lines 1-4). Mouzas does not disclose a switch assembly having a pair of

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gravity-responsive switches, where the first gravity-responsive switch changes state on clockwise rotation of the switch assembly and the second gravity-responsive switch changes state on counter-clockwise rotation of the switch assembly. However, the use of the gravity-responsive switches is old and well known in the art as taught by McDermott (col. 13, lines 55-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the conventional gravity-responsive switches in the system of Mouzas for illuminating an area adjacent a selected side of a vehicle body when turning.

Regarding claim 2: Mouzas inherently discloses a gravity-responsive switch; a controller having an input for the state of the gravity-responsive switch and providing an output signal depending on the timing and number of changes of state of the gravity-responsive switch; means to communicate the controller output signal; and means for powering the vehicle auxiliary function in response to the controller output signal (col. 3, lines 32-51).

Regarding claim 3: Mouzas discloses where the switch assembly is mounted on the vehicle steering control element (col. 3, lines 32-37).

Regarding claim 4: Mouzas discloses where the switch assembly is mounted on the vehicle lever-operated turn-signalling element (fig. 3, col. 3, lines 32-37).

Regarding claim 5: Mouzas discloses where the vehicle further has electrical circuits used to facilitate indication of one or more of: turning, braking, reversing, hazard, theft, keyless entry and horn: where the controller further has inputs to detect the activation of one or more of the vehicle electrical circuits, selected from one or more of turning, braking, reversing, hazard, theft, keyless entry and horn (col. 3, lines 26-31).

Regarding claim 6: Mouzas discloses a manually operated switch, and where the controller further has an input for the manually operated switch and the controller outputs an "accessory on" signal in response to the position of the manually operated switch (col. 4, lines 42-45).

Regarding claim 7: Mouzas discloses a manually operated switch, and where the controller further has an input for the manually operated switch and the controller outputs an "accessory on" signal in response to the position of the manually operated switch (col. 4, lines 42-45).

Regarding claim 10: Mouzas discloses wherein the vehicle auxiliary function is a cornering light (col. 3, lines 19-24).

Regarding claim 11: Mouzas discloses wherein the cornering light is integral with a vehicle side marker light (col. 3, lines 19-32).

Regarding claim 12: Mouzas discloses where the switch assembly and controller comprise an input-control-output unit, and where the controller output signal is delivered to the means for powering the vehicle auxiliary function via a wire as seen in figure 2.

Regarding claim 13: Mouzas discloses wherein the switch assembly is responsive to the performance of a motorcycle wheel-stand stunt (col. 3, lines 32-51).

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mouzas in view of McDermott and further in view of Perlman et al. (US 6,677,856).

Regarding claim 8: Mouzas and McDermott disclose all the claimed subject matter except a wireless transmitter and a wireless receiver. However, Perlman discloses wireless

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remote signal indicator for supplementing existing vehicle signal indicator comprising a wireless transmitter and a wireless receiver as shown in figure 4, col. 1, lines 64-67, and col. 2, lines 1-5.

Therefore it would have been obvious to the skilled artisan to employ the teaching of Perlman in the system of the combination in order to extend the use of the device which is an advantage.

Allowable Subject Matter

5. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Kilburn [U.S. Pat. 5,702,172] discloses light emitting bicycle pedal.

b. Sterezat [U.S. Pat. 6,768,933] discloses method for indicating a motor vehicle change of direction and device therefor.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung T Nguyen whose telephone number is 571-272-2968. The examiner can normally be reached on 8:00am-5:30pm Mon thru. Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 571-272-2964. The fax numbers for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

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Phung Nguyen

A handwritten signature in black ink, appearing to read 'Phung Nguyen', with a stylized, flowing script.

Date: October 27, 2006